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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,009	02/01/2000	Raymond W. Ellis	ASTGP123	5583
25920	7590	12/23/2008	EXAMINER	
MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085			BENGZON, GREG C	
			ART UNIT	PAPER NUMBER
			2444	
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			12/23/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/496,009	ELLIS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	GREG BENGZON	2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 October 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4-6,8-15,18-26,39-42,45,47 and 48 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1, 4-6, 8-15, 18-26, 39-42, 45,47-48 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

### **DETAILED ACTION**

This application has been examined. Claims 1, 4-6, 8-15, 18-26, 39-42, 45,47-48 are pending. Claims 2, 3, 7,16-17, 23-38, 43,44,46 are cancelled.

#### ***Making Final***

Applicant's arguments filed 10/06/2008 have been fully considered but they are not persuasive.

The claim amendments regarding -- '*a logical description for use in an automatic control environment*' -- and -- '*wherein the logical description enables control of the action and determination of physical parameters of the identified tool to determine when to initiate the action*' -- do not overcome the disclosure by the prior art as applied in the prior Office Action, as shown below.

The Examiner is maintaining the rejection(s) using the same grounds for rejection and thus making this action FINAL.

#### ***Priority***

The effective date of the claims described in this application is February 1, 2000.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6, 8-15, 18-26, 39-42, 45,47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangachari et al. (US Patent 6470227), in view of Tadokoro et al. (US 6463352), further in view of Tenney et al. (US Patent 6944584) further in view of Haverstock (US Patent 6192415).

Rangachari disclosed (re. Claim 1) receiving a first request from the remote client system via the network; (see Rangachari, Col. 8, lines 43-46, Col. 9, lines 22-42, Col. 10, lines 45-51)

determining a function to be performed (see Rangachari, Col. 10, lines 52-64, Column 14 Lines 25-35) based at least in part on a first predetermined field contained in said first request; and

sending a first message to the tool in response to said first request and said first type, wherein said first message is operable for controlling an action of said tool (see Rangachari, Col. 6, lines 26-51, Col. 7, lines 20-24 and Col. 8, lines 17-20)

However Rangachari did not disclose (re. Claim 1) using a first predetermined field in a portion of said first request.

While Rangachari disclosed a user interface that a user manipulates for automated control of the devices (Rangachari- Column 9 Lines 33-40, Column 10 Lines 35-60) via the Internet (Rangachari-Column 6 Lines 20-25), Rangachari did not disclose utilizing a Web browser.

Rangachari did not disclose (re. claim 1) a uniform resource locator path including a function field and an object field and determining a function to be performed based on said function field in said uniform resource locator path.

Rangachari did not disclose (re. Claim 1) the object field and the function field identifying a tool object model for an identified tool, the tool object model providing a logical description for use in an automatic control environment of the factory and associated with the plurality of tools; wherein the logical description provided by the tool object model enables the control of the action and determination of physical parameters of the identified tool to determine when to initiate the action.

Tadokoro disclosed (re. Claim 1) using a first predetermined field in a portion of said first request. See Tadokoro, Col. 10, lines 1-25.

Tadokoro disclosed (re. Claim 1) disclosed (re. Claim 1) the object field and the function field identifying a tool object model for an identified tool, (Tadokoro -Column 4 Lines 45-65) the tool object model providing a logical description for use in an automatic control environment of the factory and associated with the plurality of tools; wherein the logical description provided by the tool object model enables the control of the action (Tadokoro -Column 4 Lines 45-65, Column 19 Lines 5-15) and determination of physical parameters of the identified tool to determine when to initiate the action. (Tadokoro -Column 4 Lines 45-65, Column 26 Lines 45-65)

Rangachari and Tadokoro are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tadokoro's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari, for the purpose of improving workflow efficiency of a system by better monitoring processes, thereby preventing bottlenecks (see Tadokoro, Col. 2, lines 10-25).

Tenney disclosed (re. Claim 1) using a Web browser for controlling motions of devices. (Tenney-Column 6 Lines 55-65)

Haverstock disclosed (re. Claim 1) a server to respond to a URL requests containing action commands from a browser. Action commands and additional arguments are input into the URL. The server receives the request for the URL and processes the actions and arguments identified in the URL. (Haverstock-Column 3 Lines 10-20, Column 5 Lines 20-35) Thus Haverstock disclosed (re. Claim 1) a uniform resource locator path including a function field and an object field and determining a function to be performed based on said function field in said uniform resource locator path.

Rangachari, Tadokoro, Tenney, and Haverstock are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tenney's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari-Tadokoro, for the purpose of using non-proprietary network protocols for simplified network communications (Tenney-Column 2 Lines 10-15). Similarly it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have

incorporated Haverstock's teachings of a URL with action commands into Rangachari-Tadokoro-Tenney-Haverstock for the purpose of allowing system users to retrieve objects and identify actions with a single input command without requiring programming code. (Haverstock-Column 5 Lines 40-45)

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 4) wherein said tools return at least one second message associated with said first action, said method further comprising the step of caching said at least one second message (see Rangachari, Col. 13, lines 50-64, Column 15 Lines 10 and Tadokoro, Col. 13, lines 12-28).

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 5) receiving a second request and generating a response to the second request using said second message (Rangachari teaches that methods are invoked between application objects and servers to perform specific tasks outlined within a message), (see Rangachari, Col. 10, lines 52-64, Figure 1J).

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 6) the step of sending said response to a client system initiating said first and second requests (Rangachari teaches that the client is notified of the completion of a task along with any attributes that are need), see Rangachari, Col. 10, lines 64-67, Col. 11, lines 1-3.

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 8) receiving a connection request and opening a connection to a client, said connection being operable for communicating requests and responses to said requests (Tadokoro teaches HTTP requests), (see Tadokoro, Col. 12, lines 43-45).

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 9) receiving a second request from said client system via said network (see rejection of claim 1 , supra), said second request selected from the group consisting of information requests, expand requests and edit requests (see Tadokoro, Figures 10-14), wherein, in response to said information requests, an HTML page is generated using a set of selected data for a tool object corresponding to a managed tool for sending to said client system, as well as in response to said edit requests, an HTML page is generated having a portion operable for user entry of one or more values for modifying a tool object attribute for sending to said client system and in response to said expand request an HTML page is generated using a set of child object names and relations to a parent object identified in said expand request for sending to said client (Tadokoro, Col. 8, lines 10-37, Col. 9, lines 1-9, Col. 12, lines 21-44).

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 10) wherein said first request denotes an execute request (see Rangachari, Col. 10, lines 52-64).

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 11,12,13) the limitations of these claims are substantially the same as that of claim 1 , and thus are rejected for the same rationale in rejecting those claims. Furthermore, with regards to the limitations of parsing a script, determining if said script source includes a method signature matching a method signature of said tool object method, and if so, executing a corresponding portion of said script, see Tadokoro, col. 12, lines 21-44 , Rangachari- Column 9 Lines 20, and Tenney-Column 11 Lines 40 ‘Java Remote Method Invocation protocol’ .

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 14) wherein said first request is transferred in accordance with the hypertext transfer protocol (HTTP), and said portion corresponds to a uniform resource locator (see Tadokoro, Col. 10, lines 1-47).

Claims 15, 18-26, 41-42, and 45 present a data processing system with the same limitations as Claims 1, 4-6, 8-14, and 39-40.

Claims 15, 18-26, 41-42, and 45 are rejected on the same basis as Claims 1, 4-6, 8-14, and 39-40.

Rangachari-Tadokoro-Tenney-Haverstock disclosed (re. Claim 47,48) wherein said first network and said second network utilize the same local area network.  
(Tenney-Figure 9 Column 11 Lines 5-25)

### ***Response to Arguments***

Applicant's arguments filed 10/06/2008 have been considered but are not persuasive.

The Applicant presents the following argument(s) [in italics]:

*However, [in Tadokoro] an IP address is not equivalent to a "uniform resource locator path including a function field and an object field." Tadokoro cannot determine what function to perform on a tool "identified in said object field in said uniform resource locator path based on said function field in said uniform resource locator path." In other words, Tadokoro cannot determine what function to perform on a tool based on the IP address assigned to the personal computer.*

The Examiner respectfully disagrees with the Applicant.

Tadokoro disclosed hyperlinks for controlling the machine, said hyperlinks indicating what function is to be performed by the machine tool. (Tadokoro -Column 4 Lines 45-65, Column 26 Lines 45-65)

The Applicant presents the following argument(s) [in italics]:

*... There is no suggestion [in Haverstock] that such databases or applications are linked in any way to real- world physical devices, much less affecting the control and operation of such physical devices.*

The Examiner respectfully disagrees with the Applicant.

Tadokoro disclosed *databases or applications that are linked in any way to real-world physical devices.* (Tadokoro -Column 4 Lines 45-65, Column 26 Lines 45-65)

### ***Conclusion***

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. B./  
Examiner, Art Unit 2444

/Paul H Kang/  
Primary Examiner, Art Unit 2444

<b>Application Number</b> 	Application/Control No.	<b>Applicant(s)/Patent under Reexamination</b>	
	09/496,009	ELLIS ET AL.	
	<b>Examiner</b> GREG BENGZON	<b>Art Unit</b> 2444	